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APR 28 2005

Federal Communications Commission
Office of the Secretary

August 30, 2002

CC Docket NO. 98-67

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WRITER'S DIRECT DIAL

VIA HAND DELIVERY

Ms. Pamela Gregory
Director, Disabilities Rights Office
Consumer and Governmental Affairs Bureau
Federal Communications Commission
445 12th Street, SW, Room 6-C415
Washington, DC 20554

RE: Hands On Sign Language Services, Inc.
Application for Certification As VRS Service Provider

Dear Ms. Gregory:

On behalf of Hands On Sign Language Services, Inc. ("Hands On") there is tendered an original and two copies of an Application for Certification As VRS Service Provider.

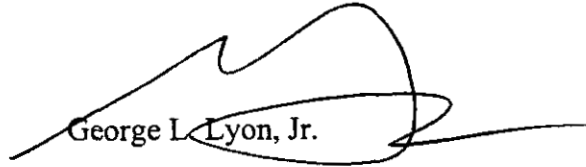
This application is tendered out of an abundance of caution in light of my letter to you of August 28, 2002, wherein I take the position that no further FCC authority is necessary for Hands On to receive NECA reimbursement other than the carrier's blanket authority under FCC Section 63.01.

Please be advised that the application contains a request for expedited consideration or for interim authority. As set forth therein, Hands On is currently providing VRS, and is encountering significant costs in doing so. Failure of the Commission to expeditiously consider and grant whatever operating authority is necessary jeopardizes Hands On's ability to continue to provide the service, and therefore threatens to deny necessary service to the deaf community.

Should any questions arise concerning this Application, kindly contact this office.

No. of Copies rec'd 2
List ABCDE

Very truly yours,


George L. Lyon, Jr.

cc: Hands On Sign Language Services, Inc.
Margaret Egler, Deputy Chief, Consumer and Governmental Affairs Bureau,
Policy

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In re)
)
HANDS ON SIGN LANGUAGE SERVICES, INC.) File No. ____
)
For certification as an eligible Video Relay Services)
provider pursuant to FCC Rule Section 64.604 to)
receive reimbursement from the TRS Fund administered)
by the National Exchange Carrier Association)

To: Chief, Consumer and Governmental Affairs Bureau

***APPLICATION FOR CERTIFICATION AS AN ELIGIBLE VRS PROVIDER, REQUEST
FOR EXPEDITED PROCESSING AND REQUEST FOR TEMPORARY CERTIFICATION
PENDING PROCESSING***

Hands On Sign Language Services, Inc. ("Hands On"), by its attorneys, submits this application for certification that the company is eligible to receive reimbursement from the Telecommunications Relay ("TRS") Fund as a provider of Video Relay Services ("VRS"). In addition, Hands On requests expedited processing of this application, and temporary authorization for Hands On to receive reimbursement for the provision of VRS services pending the processing of this application. In support, the following is shown:

I. Hands On.

Hands On is a California corporation with its headquarters at 1103 High Street, Suite 200, Auburn, California 95604. A copy of its articles of incorporation are attached as Exhibit 1. Hands On was founded in 1992 as a sole proprietorship to provide American Sign Language ("ASL") interpreting services in the San Francisco Bay Area. The company currently provides ASL interpreting service primarily in California, nationwide as well, employing in house staff interpreters

and also utilizing more than 600 free lance interpreters and more than 300 sign language interpreting agencies nationwide.

The company has reorganized itself as a corporation. The corporate structure of the company is as follows:

Ronald T. O Bray, President, director 50 percent shareholder;

Denise O Bray, Vice President, Secretary, director, 50 percent shareholder.

Hands On is a certificated resale carrier under California Public Utilities Commission regulations. A copy of the CPUC order granting Hands On its Certificate of Public Convenience and Necessity is attached as Exhibit 2.

II. Hands On's Video Relay Service.

Hands On provides VRS via a combination of Internet Protocol and the public switched network ("PSN") to allow hearing and speech impaired individuals to place and receive telephone calls in a manner functionally equivalent to telephone service provided hearing persons. A typical call will operate as follows: a hearing impaired individual will access the Hands On Relay Center via the Internet on his or her personal computer equipped with a video camera. In order for the video portion of the link to function properly the connection must be a high speed Internet line of 128 kBs or better. The hearing impaired individual will be connected via two-way video link with one of Hands On's Communications Assistants who will communicate through ASL. The Communications Assistant will then place a landline telephone call to the called party and translate ASL to voice and vice versa to allow the parties to converse in a functionally equivalent manner to a telephone conversation between hearing persons.

Hands On has also developed the capability to allow hearing persons to place calls to hearing impaired persons, and will implement that service.

A. Overview of technical facilities.

Since 2000, Hands On has been developing an affordable video technology network that will enhance the lives of the deaf and hard of hearing by delivering to their desk top, in their homes or businesses, a professional ASL trained interpreter, 24 hours a day, seven days a week. With the use of the Internet, video compression, hardware and software, Hands On developed a service to take its core competency, sign language interpreting to any deaf or hard of hearing person with a PC, camera and a high speed Internet line. Hand On's video network incorporates redundancy in its hardware, software and Internet provider to ensure reliable and continuous service.

B. Video Enhanced Work Stations.

The Communications Assistant's workstations will include video enhanced features such as Intel 2.4 GHz Pentium Processor, 533 MHz bus, 512 MB RDRAM PC800 Memory, 128MB NVIDIA GeForce4 Ti4200G Graphic Card, and #18" High Resolution Flat Screen Monitor. All of these features are designed to enhance the quality of the VRS and provide the Communications Assistant with an ergonomic environment. Annual upgrades of equipment will allow the Communications Assistants to maintain quality of service using state of the art equipment.

C. High Speed Internet.

Hands On has installed high speed Internet lines to facilitate multiple video calls simultaneously. Currently two T-1 circuits are on line. The first level of planned expansion will bring installation of a DS-3 circuit, which will increase Hands On's capacity by more than ten times.

These high speed Internet lines coupled with Hands On's use of enhanced video compression, provide a design specification of 25 frames per second (FPS) or higher video calls.

D. Database Driven Reports/Call Tracking.

To accurately track calls for billing, expansion and quality control, Hands On has developed a proprietary automated database software system. This software allows supervisory personnel to track calls in a variety of ways. They include:

1. Length of calls.
2. Number of calls at any given hour of the day, week or month.
3. Number of calls holding for more than 10 seconds, 30 seconds and so on.
4. Number of dropped calls.
5. Number of unanswered calls.

The call tracking software is the key to effective and efficient resource allocation. Measured usage trends will thus demonstrate system busy hours (and days) and thus allow for optimum coverage by the Communications Assistants. On a longer term basis the call tracking will provide guidance on the necessity for system upgrades of incoming and outgoing lines, and additional work station construction at the Relay Center. Thus, Hands On's call tracking ability will allow management to maintain quality service and facilitate service improvement. Since the majority of the incoming calls will be IP based, thus indistinguishable in terms of jurisdiction, Hands On will log these call as interstate.

E. Call Center.

In addition to the equipment configuration discussed above, the VRS Relay Center has been designed to incorporate the latest technological advancements. Generator/UPS back up systems will

be deployed to protect critical circuits. Private cubicles and recreation rooms will be deployed to ensure Communications Assistant retention.

F. Video Laboratory.

Hands On has designed a Video Laboratory to test new technology prior to introduction into the Relay Center environment.

III. Hands On is a qualified VRS provider.

FCC Rule Section 64.604(c)(iii)(5)(F) sets forth eligibility criteria for receiving payments from the TRS Fund as follows:

1. TRS facilities operated under contract with and/or by certified state TRS programs pursuant to §64.605; or
2. TRS facilities owned by or operated under contract with a common carrier providing interstate services operated pursuant to §64.604; or
3. Interstate common carriers offering TRS pursuant to §64.604.

The first category of eligible providers requires that they operate under contract with or be associated with a state TRS program certified by the Commission, §64.605 sets forth the requirements for certification. Categories 2 and 3, however, cite to operation pursuant to §64.604. Section 64.604 contains no requirement, however, for certification as long as the provider is a common carrier, or is owned by or operated under contract with a common carrier providing interstate services. Notwithstanding the lack of any certification requirement under categories 2 and 3 for §64.604, the staff and the TRS Fund administrator appear to have taken the position that certification is required for Hands On to receive reimbursement from the TRS Fund. In the absence

of any specific criteria in the rules governing the information such an application must contain, Hands On will show it meets the minimum standards of FCC Rule §64.604.

1. Hands On is a common carrier offering interstate service.

Section 3 of the Communications Act of 1934, as amended, 47 U.S.C. § 153 defines a “common carrier” as “any person engaged as a common carrier for hire, in interstate or foreign communication by wire, or radio” Section 225 of the Act, similarly defines a common carrier. 47 U.S.C. § 225(a)(1).

As discussed, Hands On is a certificated resale carrier in the State of California. Hands On will provide interstate resale service through its purchase and resale of DSL lines for its VRS clients (and others requesting the service), its processing of VRS traffic received from the Internet via the translation services of its Communications Assistants, and its completion of interstate VRS traffic via delivery of traffic to leased public switched network lines from its local exchange carrier and/or through the purchased services of interexchange carriers.

The furnishing of a line to a third party to facilitate an interstate communication is the provision of common carriage subject to the Commission’s jurisdiction. *Ward v. Northern Ohio Tel. Co.*, 300 F.2d 816 (6th Cir. 1962), *cert. denied* 371 U.S. 820. The sine qua non of common carrier status is a quasi-public character which arises out of the undertaking to carry for all people indifferently, particular services offered need not be practically available to the entire public and a specialized carrier whose services is of possible use to only a fraction of the population may nonetheless be a common carrier if he holds himself out to serve indifferently all potential users; it is not essential that there be a statutory or other legal commandment to serve indiscriminately,

rather it is the practice of such indifferent service that confers "common carrier" status. *National Ass'n Regulatory Utility Com'rs v. FCC*, 533 F.2d 601 (D.C. Cir. 1976).

In *Beehive Telephone, Inc. v. Bell Operating Cos.*, 78 Rad. Reg 2d (P&F) 1376 (1995), the Commission stressed that the "key feature of common carriage under Section 3(h) of the Act is the provision of service indifferently to all potential customers. There the Commission rejected the claim that access to the 800 number database was not common carriage in the face of a claim that "SMS access service does not enable customers to transmit anything." It was sufficient, said the Commission that the service was "incidental to a service that provides transmission of intelligence of the customer's own design and choosing" that was sufficient to support a finding of common carriage. In this case, Hands On not only holds itself out indifferently to supply lines to customers, it performs a service that allows its customers "to transmit intelligence of the customer's own design and choosing," the deaf customer's message traffic, and Hands On completes that call over facilities it leases to allow transmission of the message traffic to the voice/hearing recipient. Plainly, then, Hands On is engaged in common carriage.

Hands On holds itself out to provide VRS service indiscriminately to the public. Indeed, the rules so require it to do so. Since Hands On is plainly engaged for hire in interstate communication by wire (i.e., Internet and the public switched telephone network) Hands On is plainly a common carrier. As such, it is eligible to receive reimbursement from the TRS Fund.

FCC Rule §63.01 provides that "Any party that would be a domestic interstate communications common carrier is authorized to provide domestic, interstate services to any domestic point and to construct any domestic transmission line as long as it obtains all necessary authorizations from the Commission for use of radio frequencies." Section 63.01 thus affords

blanket Section 214 certification to all domestic common carriers. *Section 214 Entry and Exit Certification Requirements*, 14 FCC Rcd ___, 16 CR 529 (1999). Accordingly, by operation of law, Hands On possesses FCC authority to provide interstate common carrier services.

2. The VRS service Hands On provides is compensable TRS service.

The Commission has determined that "the statutory definition of telecommunications relay services is not limited to relay services using a TTY, and includes STS, VRI [now called VRS] and non-English language relay services." *First Report and Order, and Further Notice of Proposed Rulemaking*, 15 FCC Rcd 5140, 5145 (2000). It further stated: "[we] do not require [VRS] but encourage[] it by permitting the recovery of the costs of both intrastate and interstate [VRS] calls from the interstate TRS Fund." 15 FCC Rcd at 5145.

Section 225 of the Communications Act of 1934, as amended, defines TRS as:

Telephone transmission services that provide the ability for an individual who has a hearing impairment or speech impairment to engage in communication by wire or radio with a hearing individual in a manner that is functionally equivalent to the ability of an individual who does not have a hearing impairment or speech impairment to communicate using voice communications services by wire or radio. Such term includes services that enable two-way communication between an individual who uses a TDD or other nonvoice terminal device and an individual who does not use such a device.

In the First Report, the Commission concluded that VRI, which is now called VRS "is a telecommunications relay service because it provides the ability for individuals with hearing or speech disabilities 'to communicate by wire or radio with a hearing individual in a manner that is functionally equivalent to the ability of an individual who does not have a hearing impairment or speech impairment to communicate using voice communications services by wire or radio.'" 15 FCC Rcd at 5152, citing 47 U.S.C. §225(a)(3). The Commission continued, "While we do not require

VRI at this time, as the service remains in its technological infancy, we adopt special funding arrangements for VRI service, where it is provided, by allowing the costs of all calls – both intrastate and interstate – to be reimbursed from the interstate TRS Fund, while we continue to evaluate the issues surrounding mandating VRI service.” *Id.*

The Commission plainly understood that VRS would be provided in the exact manner Hands On provides the service. The Commission stated, “VRI cannot be utilized by simply dialing a number from the telephone. One VRI equipment configuration, for example, involves the use of personal computer and videoconferencing equipment along with access to broadband transmission services.” 15 FCC Rcd at 5152-53. This is, of course, exactly how Hands On provides VRS services. The Commission concluded:

We recognize the enormous potential VRI holds for consumers. In order to encourage this new technology, as is our statutory mandate, and in recognition of concerns about the costs of the service and the potentially inadequate supply of qualified interpreters, we intend to establish special funding arrangements for VRI to speed its development. During the development of this new relay service, we will permit recovery of costs associated with both intrastate and interstate calls from the interstate TRS Fund.

15 FCC Rcd at 5153.

Furthermore, on April 22, 2002, The Commission issued a declaratory ruling finding that Internet Protocol relay service (“IP Relay”) falls within the definition of TRS and is entitled to reimbursement from the Interstate TRS fund. *Declaratory Ruling and Second Further Notice of Proposed Rulemaking*, FCC 02-121 (April 22, 2002) (“Declaratory Ruling”). At paragraph 10 of its Declaratory Ruling the Commission stated:

We note that the overall purpose of Section 225 [of the Communications Act] is to “ensure that interstate and intrastate [TRS] are available, to the extent possible and in the most efficient manner to hearing-impaired and speech-impaired individuals in

the United States.” Further Section 225 specifically directs us to “ensure that regulations prescribed to implement this section encourage consistent with Section 7(a) of this Act, the use of existing technology and do not discourage or impair the development of improved technology.” We believe our interpretation of the definition is thus consistent with the mandate of section 225(d)(2) because it is technology-neutral and will not impair use of any existing technology or discourage development of new technology. Rather, it encompasses all transmissions using telephonic equipment or devices, whether over the public switched network, cable, satellite, or any other means, so long as the requisite functionality is provided.

Para. 10. For those reasons, the Commission authorized recovery of IP Relay costs from the Interstate TRS Fund. Paras. 16 & 22. Accordingly, the fact that Hands On receives the video component of its VRS service via the Internet is no basis to find that it is not entitled to reimbursement from the TRS Fund.

In light of the foregoing discussion, it is plain: (1) that Hands On provides VRS service; (2) that VRS service is compensable from the TRS Fund NECA administers; (3) that by operation of FCC Rule Section 63.01 Hands On has FCC certification to provide interstate common carrier service; (4) that Hands On is engaged as a common carrier to deliver interstate traffic; and (5) as an interstate common carrier providing VRS service, Hands On is eligible to receive reimbursement from the TRS Fund.

3. *Hands On has notified NECA that it is providing VRS service and expects compensation therefore.*

Pursuant to FCC Rule §64.604(c)(5)(G), NECA has been notified of Hands On’s intent to participate in the TRS Fund by notice delivered more than 30 days prior to submitting reports of TRS (VRS) interstate minutes of use.

4. *Hands On meets all the minimum operational and technical standards set forth in §64.604.*

Hand On meets all minimum standards specified in §64.604 that have not been waived for the provision of VRS service.

A. Communications Assistants.

Hands On's Communications Assistants have sufficient training to meet the specialized communications needs of hearing and speech impaired individuals. Hands On is in a unique position to attract and hire the best qualified interpreters in the field because for the past ten years Hands On has been providing interpreting services for deaf and hard of hearing people living in the San Francisco Bay Area and the Sacramento Valley, and has in the past five years expanded its presence nationwide. Hands On thus has the experience and expertise needed to attract and hire qualified interpreters to provide the hearing impaired public quality VRS.

Hands On will attract qualified interpreters by following a hiring plan, offering an excellent benefits package and attractive salaries, and screening candidates through a well designed interviewing process. Applicants will be required to hold a current certification, RID: CSC/CI, CT; or NAD level IV/V. As a result of its existing line of business of providing ASL translation services, Hands On has a natural recruitment resource for its Communications Assistants. Currently, Hands On maintains a database of more than 600 ASL interpreters residing mostly in the State of California. Hands On intends to draw from this base to fulfill its needs for Communications Assistants, as well as utilizing other recruitment sources.

Hands On's VRS interpreters will be able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. VRS candidates will

for their second interview be required to submit to a skills assessment. The applicant will be asked a series of questions using a video workstation similar to the one he or she would be using if hired. This type of interview would allow Hands On to accurately judge the video relay skills of the interpreter being interviewed. Hands On prefers to hire individuals with at least three months of prior experience in video relay or video based interpreting

Hands On believes that attracting and hiring interpreters is only the beginning. It is dedicated to maintaining the highest level of service. To do so Hands On intends to keep employee turnover to a minimum. It believes this can best be achieved through on going training and focus on employee morale. Although continuing education is a requirement for certification, Hands On is dedicated to fostering a company philosophy that promotes continual improvement.

Initial training will be provided all new employees during the first two weeks of employment. During orientation to the company, all benefits will be explained in detail and necessary forms completed and signed. The employees health and safety is a priority as such employees will receive training in ergonomics and how to prevent injury. All interpreters will be trained on call processes, policies and procedures as well as cultural diversity. Employees will be allowed to learn and practice handling video relay calls in a safe training environment. Once the employees have completed the initial training they will work closely with a more experienced employee. For the first week handling actual relay calls the new hire will work side by side with a partner before handling calls on his or her own.

On going training will be provided as new software releases and hardware improvements are developed. As individuals, employees, and company continue to strive for excellence Hands On

will seek out beneficial training opportunities for its employees which will include professional development and deaf culture training.

Hands On will also concentrate on employee morale in order to retain trained interpreters. Video Relay Interpreters will be working in a call center environment. The VRS call center will be accessible; designed and built with a focus on safety and ergonomics. Work stations will consist of adjustable desks and chairs. Employee's cubicles will have clear pass through panels to facilitate communication while not on calls. Due to the physical and mental demands of interpreting, employees will rotate every twenty minutes, essentially working for a total of forty minutes then taking a break for twenty before returning to their workstation, subject to the rules concerning in-call replacement of Communications Assistants. This type of schedule impacts the design of the call center. To break the monotony of the call center environment Hands On is designing a unique call center. Break rooms will provide employees a place to eat, recover and be entertained possibly providing high speed internet access, high end entertainment systems, possibly a pool table or ping pong table. Hot wax machines will also be available so employees can protect themselves from repetitive motion injuries.

B. Confidentiality and conversation content.

Company policy stresses that Communications Assistants are prohibited from disclosing the content of any relayed conversation regardless of content. No record will be kept of the contents of communications handled. Likewise company policy forbids altering a relayed conversation and requires that conversations be relayed verbatim.

C. *Types of calls.*

Hands On does not limit the type or length of calls. Hands on will provide long distance service for no charge to VRS callers. The requirement to provide pay-per-call service is waived for VRS.

D. *Emergency calls.*

The Commission has waived for VRS and Internet Protocol traffic the requirement for immediate routing of calls to the nearest Public Safety Answering Point ("PSAP"), and the passing of the caller's telephone number to the PSAP when a caller disconnects before being connected to emergency services. However, when such service is technically feasible for VRS and Internet Protocol, Hands On commits to implement such service. Hands On will make it clear on its web site and any promotional material the shortcomings and potential dangers of using VRS to place an emergency call using 911.

E. *In-call replacement of Communications Assistants.*

Hands On's Communications Assistants will stay with a call for at least 10 minutes before being replaced by another Communications Assistant.

F. *Gender Preference.*

Hands On will use its best efforts to accommodate a VRS user's requested Communications Assistant's gender when a call is initiated and, if a transfer occurs, when the call is transferred to another Communications Assistant.

G. *ASCII and Baudot.*

The requirement of capability to communicate with ASCII and Baudot is waived for VRS.

H. Speed of answer.

The speed of answer requirement of §64.604 is waived for VRS. However, it is Hands On's goal to meet and exceed the Commission's standards for time of answer set forth in the rules of 85 percent within 10 seconds. Hands On's proprietary video platform conforms to the 10 second speed of answer standard.

I. Equal access to interexchange carriers.

The equal access requirement of §64.604 is waived for VRS.

J. Hands On's Operational Schedule Comports with the Rules

Hands On will provide seven day a week service, eventually including service on a 24 hour basis. Under the rules, non-mandated services, such as VRS are not required to maintain 24 hour seven day a week operations. FCC Rule §64.604(b)(4). However, Hands On will provide 24/7 operation as soon as demand warrants. Hands On will operate with redundant features to ensure reliable service equivalent to a local exchange carrier's central office, including uninterruptible power supplies for emergency use. Hands On will provide service in real time and will maintain adequate facilities so that under projected calling volume the probability of a busy response due to network congestion will be functionally equivalent to that experienced by a voice caller over the non-TRS telephone network.

K. Voice mail and interactive menus.

Hands On's Communications Assistants will alert hearing impaired callers to the presence of a recorded message and interactive menus. Other requirements relating to voice mail and interactive menus has been waived or are otherwise inapplicable to VRS.

L. Complaints.

Hands On will maintain until its next certification a log of consumer complaints including all complaints concerning its VRS service or concerning TRS service in general. The log will include the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution. Summaries of logs indicating the number of complaints received for the 12-month period ending May 31 will be submitted to the Commission by July 1 annually.

M. Contact person.

The contact person for Hands On for VRS consumer information and complaints about Hands On's service is Ronald E. Obray, 1103 High Street, Suite 200, Auburn, California 95604, telephone 800-900-9478 (voice), 800-900-9477 (TTY), email robroy@handsonsvs.com.

N. Public access to information.

Hands On will make ongoing efforts to educate the public concerning all forms of TRS. This will be done in billing inserts, any directories published, in advertising, on Hands On's web site, and in other available media of communication.

O. Rates.

Users of Hands On's VRS service will pay no greater rates than paid for functionally equivalent voice communications services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination and point of termination. At this time, VRS is free to the end user except for calls outside the United States, which will require credit card authorization.

IV. Request for expedited processing or temporary certification.

Hands On, is prepared to begin immediate full provision of VRS service. Hands On has interviewed and is ready to hire full staffing for its Relay Center. Hands On has equipment on hand and configured to provide service. Indeed, Hands On is currently providing service on a limited basis while awaiting approval for TRS Fund reimbursement. Because it is providing service prior to whatever approval is required under §64.604, Hands On is incurring significant expenses. Meanwhile, the more than 25 employees hired to provide full service have been put on hold. To Hands On's knowledge, only one other provider of VRS is currently providing the service. Thus, a second choice of service to the deaf and hearing impaired community is badly needed. If approval is not forthcoming on an expedited basis, Hands On will lose qualified Communications Assistants, will be financially imperiled, and the hearing and speech impaired community may very well lose a choice of service providers. For these reasons, Hands On requests either expedited processing of this application, or interim approval for it to receive reimbursement from the TRS Fund while the Commission processes this application. Hands On is willing to escrow any moneys received on an interim basis until final approval is forthcoming.

V. Conclusion.

As is plainly evident, Hands On is a qualified VRS service provider. Section 225 of the Communications Act requires the Commission to ensure that TRS is available to the extent possible and in the most efficient manner to persons with hearing or speech disabilities in the United States. The FCC, in finding that the statutory definition of TRS included VRS, recognized the tremendous potential of VRS for the hearing impaired. Currently only one other entity is providing the public with the tremendous potential this service offers. Accordingly, there is a substantial public need for

an additional service provider. Hands On therefore requests that the Commission grant it on an expedited basis whatever certification is necessary in order to provide the service so it may begin receiving reimbursement from the TRS Fund.

Respectfully submitted,

HANDS ON SIGN LANGUAGE SERVICES, INC.

By 

George L. Lyon, Jr.
Its Counsel

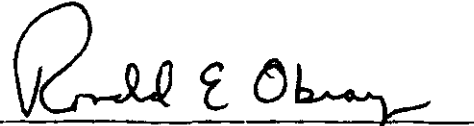
Lukas, Nace, Gutierrez & Sachs, Chartered
1111 19th Street, NW, Suite 1200
Washington, DC 20036
(202) 828-9472

August 30, 2002

DECLARATION OF RONALD E. OBRAY

Ronald E. O Bray, under penalty of perjury, deposes and states as follows:

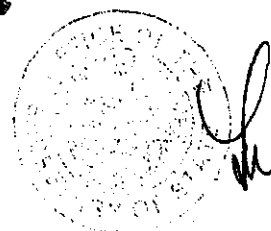
1. My name is Ronald E. O Bray. I am President of Hands On Sign Language Services, Inc. ("Hands On"). I am making this declaration for submission to the Federal Communications Commission.
2. I have reviewed the Application of Hands On for Certification as a VRS Service Provider. The factual statements made in that Application are true and correct to the best of my knowledge and belief.



Ronald E. O Bray

Exhibit 1

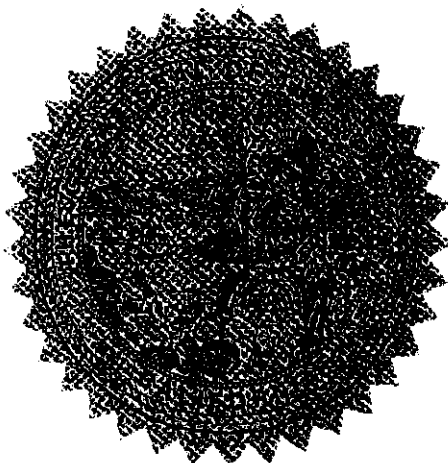
2156167

**SECRETARY OF STATE**

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript of 7 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of



Bill Jones

Secretary of State

2156167

ENDORSED - FILED
IN THE OFFICE OF THE
SECRETARY OF STATE
STATE OF CALIFORNIA**ARTICLES OF INCORPORATION**

FEB -4 1999

BILL JONES, SECRETARY OF STATE

OF**HANDS ON SIGN LANGUAGE SERVICES, INC.**

ARTICLE ONE: NAME

The name of this Corporation shall be: HANDS ON SIGN
LANGUAGE SERVICES, INC.

ARTICLE TWO: PURPOSE

The purpose of this Corporation is to engage in any lawful act
or activity for which a corporation may be organized under the General
Corporation Law of California, other than the banking business, the trust
company business, or the practice of a Profession permitted to be
incorporated by the California Corporation Code.

ARTICLE THREE: INITIAL AGENT

The name of the Corporation's initial agent for service of
process is: RONALD OBRAY, 5175 Pacific Street, Suite C, Rocklin,
California.

ARTICLE FOUR: CAPITAL STOCK

The Corporation is authorized to issue one class of shares,
which shall be designated "COMMON SHARES", having a number of
100,000.

EXECUTION

IN WITNESS WHEREOF, the undersigned Incorporator
executed these Articles on February 3, 1999.


JAMES I. GRACE, Incorporator

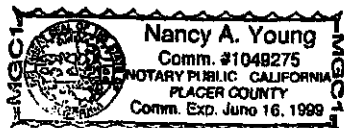
CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Placer

On February 3, 1999, before me, Nancy A. Young, personally appeared James J. Grace,

[X] personally known to me ~~OR []~~ ~~proved to me on the basis of~~ ~~satisfactory evidence~~ to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Nancy A. Young
NANCY A. YOUNG



Exhibit 2

Decision 02-06-053 June 27, 2002

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Hands On Sign Language Services, Inc. for a Certificate of Public Convenience and Necessity to Provide InterLATA and IntraLATA Interexchange Services and Competitive Local Exchange Services as a Reseller.

Application 02-03-063
(Filed March 28, 2002)

O P I N I O N

I. Summary

Hands On Sign Language Services, Inc. (Applicant) seeks a certificate of public convenience and necessity (CPCN) under Pub. Util. Code § 1001 for authority to resell local exchange and interexchange telecommunications services. By this decision, we grant the requested authority subject to the terms and conditions set forth below.

II. Background

In prior decisions we authorized the provision of competitive interexchange services by carriers meeting specified criteria. In addition, we authorized the provision of competitive local exchange service, by carriers meeting specified criteria, within the service territories of Pacific Bell Telephone Company (Pacific), Verizon California Inc. (Verizon), Roseville Telephone Company (RTC), and Citizens Telecommunications Company of California, Inc. (CTC).

Applicant, a California corporation, seeks authority to resell interexchange services as a nondominant interexchange carrier (NDIEC), and local exchange services as a competitive local carrier (CLC) throughout Pacific's service territory.

Applicant's principal place of business is located at 1103 High Street #200, Auburn, California 95603.

III. Financial Qualifications

To be granted a CPCN, an applicant for authority to resell local exchange and/or interexchange services must demonstrate that it has a minimum of \$25,000 of cash or cash equivalent to meet the firm's start-up expenses.¹ An applicant must also demonstrate that it has sufficient additional resources to cover all deposits required by local exchange carriers (LECs) and/or interexchange carriers (IECs) in order to provide the proposed service.² Applicant provided a bank statement that demonstrates that it has sufficient cash to satisfy the financial requirement.

IV. Technical Qualifications

Applicants for NDIEC and CLC authority are required to make a reasonable showing of technical expertise in telecommunications or a related business. Applicant submitted biographical information on its officers that demonstrates that it possesses sufficient experience and knowledge to operate as a telecommunications provider.

¹ The financial requirement for CLCs is contained in D.95-12-056, Appendix C. The financial requirement for NDIECs is contained in D.91-10-041.

² The requirement for CLC applicants to demonstrate that they have additional financial resources to meet any deposits required by underlying LECs and/or IECs is set forth in D.95-12-056, Appendix C. For NDIECs, the requirement is found in D.93-05-010.

Applicant represents that no one associated with or employed by Applicant as an affiliate, officer, director, partner, or owner of more than 10% of Applicant was previously associated with any telecommunications carrier that filed for bankruptcy or went out of business, or was sanctioned by the Federal Communications Commission or any state regulatory agency for failure to comply with any regulatory statute, rule, or order.

V. Tariffs

Commission staff reviewed Applicant's draft tariffs for compliance with Commission rules and regulations. The deficiencies are noted in Attachment A to this decision. Applicant shall correct these deficiencies in its tariff compliance filing as a condition of our approval of its tariffs.

VI. California Environmental Quality Act (CEQA)

CEQA requires the Commission as the designated lead agency to assess the potential environmental impact of a project in order that adverse effects are avoided, alternatives are investigated, and environmental quality is restored or enhanced to the fullest extent possible. Applicant represents that it will not be constructing any facilities for the purpose of providing interexchange or local exchange services. Therefore, it can be seen with certainty that there is no possibility that granting this application will have an adverse effect upon the environment. Applicant must file for additional authority, and submit to any required CEQA review, before it can construct facilities.

VII. Request to File Under Seal

Applicant requests that the financial information filed with the application be filed under seal. The financial information consists of its balance sheet, and income statement. Applicant represents that the information is proprietary and sensitive. The information, if revealed, would place Applicant at an unfair

business disadvantage. We have granted similar requests in the past and will do so here.

VIII. Categorization and Need for Hearings

In Resolution ALJ 176-3086 dated April 22, 2002, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. There is no apparent reason why the application should not be granted. Given these developments, a public hearing is not necessary, and it is not necessary to disturb the preliminary determinations.

IX. Comments on Draft Decision

This is an uncontested matter, in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

X. Conclusion

We conclude that the application conforms to our rules for authority to resell local exchange and interexchange telecommunications services. Accordingly, we shall approve the application subject to the terms and conditions set forth herein.

Findings of Fact

1. Notice of the application appeared in the Daily Calendar on April 12, 2002.
2. No protests have been filed.
3. A hearing is not required.
4. In prior decisions the Commission authorized competition in providing interexchange services for carriers meeting specified criteria.

5. In prior decisions the Commission authorized competition, by carriers meeting specified criteria, in providing local exchange telecommunications services within the service territories of Pacific, Verizon, RTC and CTC.

6. Applicant has a minimum of \$25,000 of cash or cash equivalent that is reasonably liquid and readily available to meet its start-up expenses.

7. Applicant has sufficient additional cash or cash equivalent to cover any deposits that may be required by other telecommunications carriers in order to provide the proposed service.

8. Applicant possesses sufficient experience and knowledge to provide telecommunications services.

9. As part of its application, Applicant submitted a draft of its initial tariff that contained the deficiencies identified in Attachment A to this decision. Except for those deficiencies, its draft tariffs complied with the Commission's requirements.

10. Applicant will not be constructing facilities.

11. Public disclosure of the financial information filed under seal would place Applicant at an unfair business disadvantage.

Conclusions of Law

1. Applicant has the financial ability to provide the proposed service.

2. Applicant has sufficient technical expertise to operate as a telecommunications carrier.

3. Public convenience and necessity require that Applicant's competitive local exchange and interexchange services be subject to the terms and conditions set forth herein.

4. Since Applicant will not be constructing any facilities, it can be seen with certainty that there will be no significant effect on the environment.

5. The application should be granted to the extent set forth below.

6. Applicant, once granted a CPCN, should be subject to the applicable Commission rules, decisions, General Orders, and statutes that pertain to California public utilities.

7. Applicant's initial tariff filing should correct the deficiencies in its draft tariffs as indicated in Attachment A to this decision.

8. Applicant's request to file its financial information under seal should be granted for two years.

9. Because of the public interest in competitive local exchange and interexchange services, the following order should be effective immediately.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity (CPCN) is granted to Hands On Sign Language Services, Inc. (Applicant) to resell competitive local exchange services, and interexchange services, subject to the terms and conditions set forth below.

2. Applicant is authorized to provide local exchange service in the service territory of Pacific Bell Telephone Company.

3. Applicant is authorized to file tariff schedules for the provision of competitive local exchange and interexchange services with the deficiencies noted in Attachment A corrected. Applicant may not offer services until tariffs are on file. Applicant's initial filing shall be made in accordance with General Order (GO) 96-A, excluding Sections IV, V, and VI. The tariff shall be effective not less than 1 day after tariff approval by the Commission's Telecommunications Division. Applicant shall comply with its tariffs.

6. The certificate granted, and the authority to render service under the rates, charges, and rules authorized, will expire if not exercised within 12 months after the effective date of this order.

7. The corporate identification number assigned to Applicant, U-6667-C, shall be included in the caption of all original filings with this Commission, and in the titles of other pleadings filed in existing cases.

8. Applicant shall comply with all applicable rules adopted in the Local Exchange Competition proceeding (Rulemaking 95-04-043/Investigation 95-04-044), the Commission's rules and regulations for NDIECs set forth in Decision (D.) 93-05-010 and D.90-08-032, as well as all other applicable Commission rules, decisions, GOs, and statutes that pertain to California public utilities, subject to the exemptions granted in this decision.

9. Applicant shall comply with the requirements applicable to competitive local exchange carriers and non-dominant interexchange carriers included in Attachment B to this decision.

10. Applicant is not authorized to construct facilities.

11. Applicant's request to have the financial information filed with the application kept under seal is granted for two years from the effective date of this decision. During that period the information shall not be made accessible or disclosed to anyone other than the Commission staff except on the further order or ruling of the Commission, the Assigned Commissioner, the assigned Administrative Law Judge (ALJ), or the ALJ then designated as Law and Motion Judge.

12. If Applicant believes that further protection of the information kept under seal is needed, it may file a motion stating the justification for further withholding of the information from public inspection, or for such other relief as

the Commission rules may then provide. This motion shall be filed no later than one month before the expiration date.

13. This application is closed.

This order is effective today.

Dated June 27, 2002, at San Francisco, California.

LORETTA M. LYNCH

President

HENRY M. DUQUE

CARL W. WOOD

GEOFFREY F. BROWN

MICHAEL R. PEEVEY

Commissioners

ATTACHMENT A

List of deficiencies in tariffs filed by Hands On Sign Language Services, Inc. in A.02-03-063 to be corrected in its tariff compliance filing.

1. Sheet 9, Rule 3B: Say that blocking service shall be made available free of charge to residential customers, although the CLC may impose a charge if the customer asks for deactivation of blocking. Refer to Rule 15 of Appendix B of D.95-07-054.
2. Sheet 19, Rule 9C: Say that the late payment date will be prominently displayed on the customer's bill. Refer to Rule 9 of Appendix B of D.95-07-054.
3. Sheet 21, Rule 11: If the CLC is a carrier of last resort, say that Basic Service will not be disconnected for non-payment of anything other than residential and single line business, Flat Rate and/or Measured Rate Service as defined in D. 96-10-066, Appendix B, page 5. Refer to D. 00-03-020.
4. Sheet 23, Rule 12: Include the company's office address. Also, indicate a telephone number in which customer can order, change or cancel a service. Refer to D.01-07-026.
5. Sheet 24, Rule 13: Say that the CLC concurs with Pacific or Verizon's Limitation of Liability tariffs regarding credit for service interruptions. Refer to D.95-12-057.
6. Sheet 43: Include the fees and surcharges show in Conclusion of Law 4.
7. Include rules on how telephone directories will be provided to residential and business customers.

If the CLC offers residential service, it must also offer Universal Lifeline Telephone Service (ULTS). The ULTS must be tariffed.

(END OF ATTACHMENT A)

ATTACHMENT B

Page 1

REQUIREMENTS APPLICABLE TO COMPETITIVE LOCAL EXCHANGE CARRIERS AND NON-DOMINANT INTEREXCHANGE CARRIERS

1. Applicant shall file a written acceptance of the certificate granted in this proceeding.
2. Applicant is subject to:
 - a. The current 1.45% surcharge applicable to all intrastate services except for those excluded by D.94-09-065, as modified by D.95-02-050, to fund the Universal Lifeline Telephone Service Trust Administrative Committee Fund (Pub. Util. Code § 879; Resolution T-16594, October 10, 2001);
 - b. The current 0.481% surcharge applicable to all intrastate services except for those excluded by D.94-09-065, as modified by D.95-02-050, to fund the California Relay Service and Communications Devices Fund (Pub. Util. Code § 2881; D.98-12-073 and Resolution T-16504, March 27, 2001);
 - c. The user fee provided in Pub. Util. Code §§ 431-435, which is 0.11% of gross intrastate revenue for the 2000-2001 fiscal year (Resolution M-4800);
 - d. The current surcharge applicable to all intrastate services except for those excluded by D.94-09-065, as modified by D.95-02-050, to fund the California High Cost Fund-A (Pub. Util. Code § 739.3; D.96-10-066, pp. 3-4, App. B, Rule 1.C; set by Resolution T-16521 at 0.200%, June 14, 2001; set by Resolution T-16589 at 0.300% effective January 1, 2002, October 10, 2001);
 - e. The current 1.47% surcharge applicable to all intrastate services except for those excluded by D.94-09-065, as modified by D.95-02-050, to fund the California High Cost Fund-B (D.96-10-066, p. 191, App. B, Rule 6.F., Resolution T-16585, October 10, 2001); and
 - f. The current 0.300% surcharge applicable to all intrastate services except for those excluded by D.94-09-065, as modified by D.95-02-050, to fund the California Teleconnect Fund (D.96-10-066, p. 88, App. B, Rule 8.G, Resolution T-16584, October 10, 2001).

ATTACHMENT B

Page 2

3. Applicant is a competitive local exchange carrier (CLC). The effectiveness of its future tariffs is subject to the schedules set forth in Appendix C, Section 4.E of Decision (D.) 95-12-056:

"E. CLCs shall be subject to the following tariff and contract filing, revision and service pricing standards:

- "(1) Uniform rate reductions for existing tariff services shall become effective on five (5) working days' notice. Customer notification is not required for rate decreases.
- "(2) Uniform major rate increases for existing tariff services shall become effective on thirty (30) days' notice to the Commission, and shall require bill inserts, or first class mail notice to customers at least 30 days in advance of the pending rate increase.
- "(3) Uniform minor rate increases, as defined in D.90-11-029, shall become effective on not less than (5) working days' notice to the Commission. Customer notification is not required for such minor rate increases.
- "(4) Advice letter filings for new services and for all other types of tariff revisions, except changes in text not affecting rates or relocations of text in the tariff schedules, shall become effective on forty (40) days' notice.
- "(5) Advice letter filings revising the text or location of text material which do not result in an increase in any rate or charge shall become effective on not less than five (5) days' notice to the Commission."
- "(6) Contracts shall be subject to GO 96-A rules for NDIECS, except interconnection contracts.
- "(7) CLCs shall file tariffs in accordance with PU Code § 876."

ATTACHMENT B

Page 3

4. Applicant is a nondominant interexchange carrier (NDIEC). The effectiveness of its future NDIEC tariffs is subject to the schedules set forth in Ordering Paragraph 5 of D.90-08-032 (37 CPUC2d 130 at 158), as modified by D.91-12-013 (42 CPUC2d 220 at 231) and D.92-06-034 (44 CPUC2d 617 at 618):

"5. All NDIECs are hereby placed on notice that their California tariff filings will be processed in accordance with the following effectiveness schedule:

- "a. Inclusion of FCC-approved rates for interstate services in California public utilities tariff schedules shall become effective on one (1) day's notice.
- "b. Uniform rate reductions for existing services shall become effective on five (5) days' notice.
- "c. Uniform rate increases, except for minor rate increases, for existing services shall become effective on thirty (30) days' notice, and shall require bill inserts, a message on the bill itself, or first class mail notice to customers of the pending increased rates.
- "d. Uniform minor rate increases, as defined in D.90-11-029, for existing services shall become effective on not less than five (5) working days' notice. Customer notification is not required for such minor rate increases. "
- e. Advice letter filings for new services and for all other types of tariff revisions, except changes in text not affecting rates or relocations of text in the tariff schedules, shall become effective on forty (40) days' notice.
- "f. Advice letter filings merely revising the text or location of text material which do not cause an increase in any rate or charge shall become effective on not less than five (5) days' notice."

ATTACHMENT B

Page 4

5. Applicant may deviate from the following provisions of GO 96-A:
(a) paragraph II.C.(1)(b), which requires consecutive sheet numbering and prohibits the reuse of sheet numbers; and (b) paragraph II.C.(4), which requires that "a separate sheet or series of sheets should be used for each rule." Tariff filings incorporating these deviations shall be subject to the approval of the Commission's Telecommunications Division. Tariff filings shall reflect all fees and surcharges to which Applicant is subject, as reflected in 2 above.
6. Applicant shall file a service area map as part of its initial tariff.
7. Prior to initiating service, Applicant shall provide the Commission's Consumer Services Division with the name and phone number of its designated contact person(s) for purposes of resolving consumer complaints. This information shall be updated if the name or telephone number changes, or at least annually.
8. Applicant shall notify this Commission in writing of the date that local exchange service is first rendered to the public, no later than five days after service first begins.
9. Applicant shall notify this Commission in writing of the date interLATA service is first rendered to the public within five days after service begins, and again within five days after intraLATA service begins.³
10. Applicant shall keep its books and records in accordance with the Generally Accepted Accounting Principles.
11. In the event Applicant's books and records are required for inspection by the Commission or its staff, it shall either produce such records at the Commission's offices or reimburse the Commission for the reasonable costs incurred in having Commission staff travel to its office.

³ California is divided into ten Local Access and Transport Areas (LATAs), each containing numerous local telephone exchanges. InterLATA describes services, revenues and functions relating to telecommunications originating within one LATA and terminating in another LATA. IntraLATA describes services, revenues and functions relating to telecommunications originating within a single LATA.

ATTACHMENT B

Page 5

12. Applicant shall file an annual report, in compliance with GO 104-A, on a calendar-year basis with the information contained in Attachment C to this decision.

13. Applicant shall ensure that its employees comply with the provisions of Public Utilities (Pub. Util.) Code § 2889.5 regarding solicitation of customers.

14. Within 60 days of the effective date of this order, Applicant shall comply with Pub. Util. Code § 708, Employee Identification Cards, and notify the Director of the Telecommunications Division in writing of its compliance.

15. If Applicant is 90 days or more late in filing an annual report, or in remitting the surcharges and fee listed in 2 above, the Commission's Telecommunications Division shall prepare for Commission consideration a resolution that revokes Applicant's CPCN unless it has received written permission from the Telecommunications Division to file or remit late.

16. Applicant is exempt from General Order 96-A, subsections III.G(1) and (2), and Commission Rule of Practice and Procedure 18(b).

17. Applicant is exempt from Pub. Util. Code §§ 816-830.

18. Applicant is exempt from the requirements of Pub. Util. Code § 851 for the transfer or encumbrance of property whenever such transfer or encumbrance serves to secure debt.

(END OF ATTACHMENT B)

ATTACHMENT C

ANNUAL REPORT

An original and two copies shall be filed with the California Public Utilities Commission, 505 Van Ness Avenue, Room 3251, San Francisco, CA 94102-3298, no later than March 31st of the year following the calendar year for which the annual report is submitted.

Failure to file this information on time may result in a penalty as provided for in Sections 2107 and 2108 of the Public Utilities Code.

Required information:

1. Exact legal name and U # of reporting utility.
2. Address.
3. Name, title, address, and telephone number of the person to be contacted concerning the reported information.
4. Name and title of the officer having custody of the general books of account and the address of the office where such books are kept.
5. Type of organization (e.g., corporation, partnership, sole proprietorship, etc.).

If incorporated, specify:

- a. Date of filing articles of incorporation with the Secretary of State.
- b. State in which incorporated.
6. The number and date of the Commission decision granting the Utility's CPCN.
7. Date operations were begun.
8. Description of other business activities in which the utility is engaged.

ATTACHMENT C

Page 2

9. A list of all affiliated companies and their relationship to the utility.
State if affiliate is:
 - a. Regulated public utility.
 - b. Publicly held corporation.
10. Balance sheet as of December 31st of the year for which information is submitted.
11. Income statement for California operations for the calendar year for which information is submitted.

For answers to any questions concerning this report, call (415) 703-1961.

(END OF ATTACHMENT C)

LUKAS, NACE, GUTIERREZ & SACHS

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Federal Communication Commission
Bureau / Office

HAND-DELIVERY TO THE FCC (PORTALS)

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